

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MTGLQ INVESTORS, LP,

Plaintiff,

vs.

1:17-cv-00487-KG-LF

MONICA L. WELLINGTON, THE MONICA L.
WELLINGTON DECLARATION OF TRUST
DATED DECEMBER 28, 2007, ALTURA VILLAGE
HOMEOWNERS' ASSOCIATION, INC., JP MORGAN
CHASE BANK, N.A.,

Defendants.

JUDGMENT AWARDING ATTORNEY FEES

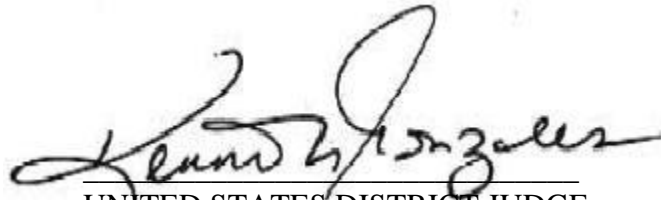
THIS MATTER comes before the Court on Plaintiff MTGLQ Investors, LP's ("MTGLQ") MOTION TO Enforce Order Awarding of Attorney Fees filed on January 3, 2020. Doc. 208. Defendant Monica Wellington did not file a response within the time to do so.¹ Accordingly, MTGLQ filed a notice of completion of briefing on April 6, 2020. Doc. 218. "The failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." D.N.M.LR-Civ. 7.1(b). The Court, having read the motion, noting that Ms. Wellington has failed to file a response and thereby consents to the Court granting the motion, and being fully advised, finds that the motion is well taken and will GRANT it.

On January 18, 2019, the Court awarded MTGLQ a portion of the fees it requested pursuant to Federal Rule of Civil Procedure 37. *See* Doc. 145. The Court ordered Ms.

¹ "A response must be served and filed within fourteen (14) calendar days after service of the motion." D.N.M.LR-Civ. 7.4(a).

Wellington to pay MTGLQ \$623.50 plus New Mexico gross receipts tax—the reasonable expenses MTGLQ incurred in responding to Ms. Wellington’s motion to compel—no later than February 8, 2019. Doc. 145 at 2. To date, Ms. Wellington has not paid the money to MTGLQ or its counsel.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that Plaintiff MTGLQ Investors, LP, recover from Defendant Monica L. Wellington \$623.50 in reasonable attorney’s fees, plus the applicable gross receipts tax.



UNITED STATES DISTRICT JUDGE